

4/26/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Michel H. Klein et al  
Appl'n. No. : 09/479,240  
Filed : January 7, 2000  
Title : CHIMERIC IMMUNOGENS  
Grp./A.U. : 1645  
Examiner : Mark Navarro  
Docket No. : 1038-1000

April 23, 2001

**BY FACSIMILE**

The Commissioner of Patents  
and Trademarks,  
Washington, D.C. 20231,  
U.S.A.

Dear Sir:

This communication is in response to the Office Action of March 23,  
2001.

The Examiner required restriction to one of eight different inventions.  
Having regard thereto, the applicants hereby elect the invention of Group III, i.e.,  
Claims 59 to 74 as directed to hybrid genes comprising PIV-HN and RSV-F. Claim  
59 is generic to this combination and claim 60 specifically recites the combination.

This election is made with traverse. At least with respect to Groups I to  
IV, it is submitted that these should be examined together. All four groups are  
classified in the same subclass, so that there is no undue burden on the Examiner in  
searching the prior art.

With respect to Groups V to VIII, these also should be examined

together. All four groups are classified in the same subclass, so that there is no undue burden on the Examiner in searching the prior art.

Respectfully submitted,

**SIM & MCBURNEY**

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Toronto, Ontario, Canada, M5G 1R7**Tel. (416) 595-1155; Fax (416) 595-1163****FAX RECEIVED**  
**APR 23 2001**  
**GROUP 1600****DATE:** April 23, 2001**Your ref:****Our Ref. No.:** 1038-1000 MIS:as**TO: EXAMINER MARK NAVARRO - ART UNIT 1645 - U S. Patent and Trademark Office,**  
Washington, D.C.**Telecopier/Fax Number:** 1 (703) 308-4556**Total Number of Pages (Including Cover Sheet):** 4**FROM: MR. MICHAEL I. STEWART****COMMENTS: THE ATTACHED RESTRICTION REQUIREMENT  
RESPONSE IS DUE TODAY, APRIL 23, 2001.**

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**Applicant(s): **Michel H. Klein et al**

Docket No.

**1038-1000 MIS**

Serial No.

**09/479,240**

Filing Date

**January 7, 2000**

Examiner

**Mark Navarro**

Group Art Unit

**1645**Invention: **CHIMERIC IMMUNOGENS****FAX RECEIVED**  
**APR 23 2001**  
**GROUP 1600**

I hereby certify that this

Restriction requirement response*(Identify type of correspondence)*is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. **(703) 308-4556**)

on

**April 23, 2001***(Date)***M.I. Stewart - Reg. No. 24,973***(Typed or Printed Name of Person Signing Certificate)**M.I. Stewart**(Signature)***Note: Each paper must have its own certificate of mailing.**